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USA, Inc., and CMO Japan Co., Ltd.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)

STATE OF OREGON, *ex rel.* John Kroger,  
Attorney General,

Plaintiffs,

v.

AU OPTRONICS CORPORATION, *et al.*,

Defendants.

This Document Relates to Individual Case No.  
3:10-cv-4346 SI

Master File No. 3:07-md-1827

MDL No. 1827

**STIPULATION AND ~~PROPOSED~~ ORDER  
REGARDING TIME TO RESPOND TO  
AMENDED COMPLAINT**

1 WHEREAS plaintiff State of Oregon (“Oregon”) filed the above captioned lawsuit on  
2 August 10, 2010;

3 WHEREAS Oregon filed a first amended complaint on April 15, 2011 (“Amended  
4 Complaint”);

5 WHEREAS Defendants Chi Mei Corporation, Chimei Innolux Corporation, CMO Japan  
6 Co., Ltd., and Chi Mei Optoelectronic USA, Inc. (collectively, the “Chimei Defendants”) jointly  
7 filed with other defendants a motion to dismiss Count III in its entirety and Count IV to the extent  
8 it seeks “disgorgement of profits” as a remedy on June 6, 2011;

9 WHEREAS the Court denied Defendants’ joint motion to dismiss Counts III and IV of the  
10 Amended Complaint on July 12, 2011;

11 WHEREAS the Chimei Defendants entered into a stipulation with Oregon on July 17,  
12 2012 that the Chimei Defendants’ deadline to answer the Amended Complaint is September 5,  
13 2012;

14 WHEREAS on July 19, 2012, the Court entered an order extending the Chimei  
15 Defendants’ deadline to answer the Amended Complaint until September 5, 2012;

16 WHEREAS the Chimei Defendants are close to finalizing a settlement with Oregon;

17 WHEREAS postponing the Chimei Defendants’ time to respond to the Amended  
18 Complaint until October 24, 2012, will not alter the date of any other event or deadline already  
19 fixed by the Court;

20 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the  
21 undersigned counsel, on behalf of their respective clients, Oregon, on the one hand, and the  
22 Chimei Defendants on the other hand, as follows:

23 The Chimei Defendants will have until October 24, 2012 to answer Oregon’s Amended  
24 Complaint.

1 Dated: September 5, 2012

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2  
3 /s/ Michael K. Kelley

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18 /s/ Harrison J. Frahn IV

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**FILER'S ATTESTATION**

I, Harrison J. Frahn IV, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Order. In compliance with General Order 45.X.B, I hereby attest that Michael M. Kelley concurs in this filing.

/s/ Harrison J. Frahn IV

Harrison J. Frahn IV

*Attorneys for Defendants Chi Mei Corporation,  
Chimei Innolux Corporation, Chi Mei Optoelectronics USA,  
Inc., and CMO Japan Co., Ltd.*

**[PROPOSED] ORDER**

Pursuant to the parties' stipulation set forth above and pursuant to Rule 6-1(a) of the Civil  
Local Rules, IT IS SO ORDERED.

Dated: 9/5, 2012



By

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HON. SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE